

2132
#6
SP
12-03-03

PATENT
HMD2000-1-CIPA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas N. Giaccherini, et al.

Examiner:

Serial No.: 09/688,997

Group Art Unit: 2132

Title: **Method for Utilizing
Excess Communications Capacity**

RECEIVED

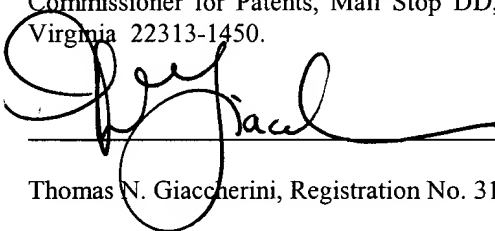
DEC 02 2003

Filed: 16 October 2000

Technology Center 2100

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

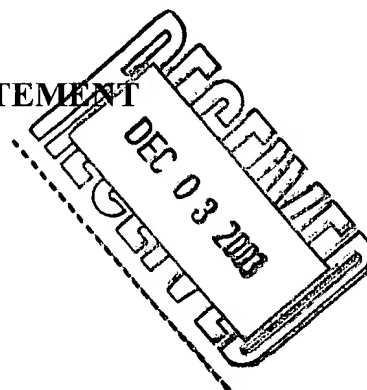
The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to The Commissioner for Patents, Mail Stop DD, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Thomas N. Giaccherini, Registration No. 31,075

Date 24 Nov
2003.

SECOND DISCLOSURE STATEMENT

The Commissioner for Patents
Mail Stop DD
P.O. Box 1450
Alexandria, Virginia 22313-1450
Sir:



The Applicants submit this Second Disclosure Statement and completed Form PTO/SB/08A for their pending U.S. Patent Application.

DISCLOSURE DOCUMENTS

U.S. Patent No. 5 864 557 issued to Lyons discloses a transport stream encoder, which comprises a plurality of component signal sources.

U.S. Patent No. 5 406 626 issued to Ryan discloses a radio receiver for information dissemination using sub-carrier.

U.S. Patent Application No. 2002/ 004 2919 is a Pending Continuation-in-Part Patent Application filed by the Assignee of the Present Application, and has a filing date later than the Present Application.

U.S. Patent No. 6 029 045 issued to Picco discloses a System and Method for Inserting Local Content Into Programming Content.

U.S. Patent No. 6 366 761 issued to Montpetit discloses a Priority Based Bandwidth Allocation and Bandwidth-on-Demand in a Low-Earth-Orbit Satellite Data Communication Network.

U.S. Patent No. 5 652 795 issued to Dillon discloses a Method and Apparatus for an Adapter Card Providing Conditional Access in a Communication System.

Second Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
HMD2000-1-CIPA
Page 3

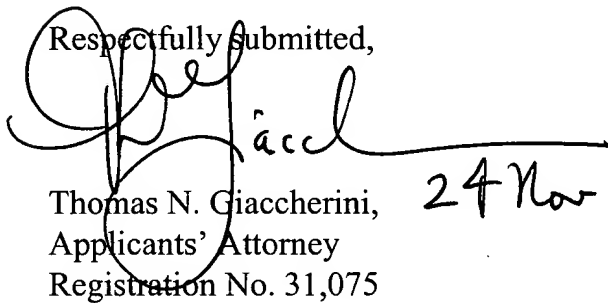
PCT International Patent Application Publication No. WO 97/18651 owned by Hughes Aircraft Company discloses a method and apparatus for an adaptor card for use in a computer to provide conditional access by the computer to incoming data streams.

CONCLUSION

A completed PTO/SB/08A accompanies this Second Disclosure Statement.

The Applicants submit that none of the documents described above disclose the Invention as claimed in the present Patent Application. The Applicants believe that no fee is required to submit this Second Disclosure Statement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Giaccherini', with a long horizontal flourish extending to the right.

Thomas N. Giaccherini,
Applicants' Attorney
Registration No. 31,075

24 Nov 2003.

Thomas N. Giaccherini
Post Office Box 1146
Carmel Valley, California 93924
831.659.5300
techlaw@ix.netcom.com

Mailed to the United States Patent Office
on Monday, 24 November 2003 with a Rule 8 Certificate of Mailing.

